

PAULEY S.

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WILLIAM H. PAULEY
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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

U.S. TRUST COMPANY, N.A.,

Plaintiff,

v.

ROBERT S. STOLAR,

Defendant.

Civil Action No. 07 CV 7357 (WHP) (AJP)

**STIPULATION OF
 WAIVER OF SUMMONS**

IT IS HEREBY STIPULATED AND AGREED, by the parties, through their undersigned counsel that:

Defendant waives service of a summons in this action. Defendant acknowledges receipt of a copy of the complaint in the action.

Defendant agrees to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that defendant be served with judicial process in the manner provided by Rule 4.

Defendant will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

Defendant shall have 60 days from the date below to serve Plaintiff with an answer or otherwise move.

Dated: New York, NY
 August 27, 2007

BUCHANAN INGERSOLL
 & ROONEY P.C.
 One Chase Manhattan Plaza, 35th Floor
 New York, New York 10005
 Attorneys for Defendant

By: 
 Stuart P. Slotnick, Esq. (SS 1964)

GIBBONS P.C.
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 Attorneys for Plaintiff

By: 
 Mark W. Broutenberg, Esq.

So Ordered:


 United States District Judge

William H. Pauley III
 8/31/07